

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

**JACKSON MUNICIPAL AIRPORT
AUTHORITY, ET AL.**

PLAINTIFFS

V.

CAUSE NO. 3:16-CV-246-CWR-ASH

GOVERNOR TATE REEVES, ET AL.

DEFENDANTS

ORDER

In April 2024, the Fifth Circuit dismissed an interlocutory appeal in this matter about whether non-party Legislators have to comply with certain discovery requests. *See* Docket No. 465. The Legislators’ interlocutory appeal was moot, the appellate court found, because “none of the Jackson Municipal Airport Authority’s current commissioners are parties to or intervenors in this lawsuit.” *Id.* at 3.

Now before the Court is the plaintiffs’ motion to amend the complaint to add two new JMAA Commissioners, Rickey Jones and Rica Lewis-Payton, as plaintiffs to the suit. Docket No. 467. The motion explains that these Commissioners are necessary because the composition of JMAA’s Board has changed in the eight years this suit has been pending: the prior Commissioners’ terms have expired, and they have been replaced with new Commissioners. A proposed Second Amended Complaint is attached.

In a response, the defendants take no position on the motion. Another back-and-forth by the parties, meanwhile, confirms that the plaintiffs are not seeking to resurrect previously-dismissed claims or theories that might appear in the proposed Second Amended Complaint.

Because there is no articulated opposition to the motion, the analysis is short. The Court finds that the plaintiffs have shown good cause for their proposed amendment. *See S&W Enters., L.L.C. v. SouthTrust Bank of Ala., NA*, 315 F.3d 533, 536 (5th Cir. 2003).

The request for amendment has been necessitated by the substantial and unforeseeable amount of time that this litigation has taken: the case has outlasted the terms of several JMAA Commissioners. The plaintiffs sought amendment promptly after the Fifth Circuit's decision. The amendment is plainly important to the new Commissioners, who stand to lose their positions if the Mississippi statute dissolving JMAA goes into effect. There is little prejudice to the defendants or Legislators; at least, none has been articulated. And a continuance is readily available. We are nowhere close to a trial date.

Accordingly, the motion is **granted**. The plaintiffs shall file their Second Amended Complaint within seven days. At an appropriate time, a separate Order will issue reinstating the relevant discovery Order and immediately staying it pending the Legislators' anticipated interlocutory appeal.

SO ORDERED, this the 11th day of June, 2024.

s/ Carlton W. Reeves
UNITED STATES DISTRICT JUDGE